

1 HB533  
2 80631-8  
3 By Representatives Ison, Love, Mitchell, Albritton, Brewbaker,  
4 Buskey, Gaston, Johnson, Collier, Glover, DeMarco and Bentley  
5 RFD: Health  
6 First Read: 31-JAN-06

1  
2 ENROLLED, An Act,

3 To provide for individuals with medical needs in  
4 certain emergencies and disasters.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. (a) For purposes of this act, "an  
7 individual with medical needs" means an individual who is not  
8 qualified to be housed in a mass care shelter and who meets  
9 the criteria established in rules of the State Board of  
10 Health.

11 (b) The State Health Department is designated as the  
12 lead agency for coordination with other state and local  
13 agencies in the development of disaster shelters for those  
14 individuals with medical needs.

15 Section 2. The State Health Department shall adopt  
16 rules necessary to implement this act, in accordance with  
17 Section 22-2-2, Code of Alabama 1975.

18 Section 3. (a) All appropriate agencies and  
19 community-based service providers, including, but not limited  
20 to, home health care providers, hospices, community mental  
21 health centers and related facilities, but not including  
22 health care facilities which provide inpatient care to include  
23 general and specialized hospitals including ancillary  
24 services, skilled nursing facilities, intermediate care  
25 facilities, or any assisted living facility, shall provide

1 information on the numbers of individuals with medical needs  
2 and shall assist the State Health Department in the  
3 establishment of programs to increase the awareness of medical  
4 needs shelters, and in educating clients and sponsors or care  
5 givers about the procedures that may be necessary for their  
6 safety during disasters.

7 (b) State agencies that regulate and/or contract  
8 with providers of services for persons with disabilities or  
9 limitations that make the persons dependent upon the care of  
10 others including, but not limited to, home health care  
11 providers, hospices, community mental health centers and  
12 related facilities, but not including health care facilities  
13 which provide inpatient care to include general and  
14 specialized hospitals including ancillary services, skilled  
15 nursing facilities, intermediate care facilities, or any  
16 assisted living facility, shall include emergency and disaster  
17 planning provisions in their certification and/or regulatory  
18 standard or in the contracts at the time the contracts are  
19 initiated or upon renewal. These provisions may include, but  
20 shall not be limited to, the following:

21 (1) The designation of an emergency coordinating  
22 officer.

23 (2) A procedure whereby the primary care giver at  
24 the place where the individual with medical needs resides  
25 would be required to contact, prior to or immediately

1 following an emergency or disaster, all persons, on a priority  
2 basis, who need assistance and sheltering during evacuations  
3 because of physical, mental, or sensory disabilities and whose  
4 care is provided under the contract.

5 (3) A procedure to transport persons who would need  
6 assistance and sheltering during evacuations because of  
7 physical, mental, or sensory disabilities to the location  
8 identified in each plan.

9 (4) A procedure to dispatch the emergency  
10 coordinating officer or other staff members to medical needs  
11 shelters in the event any clients are placed in a medical  
12 needs shelter.

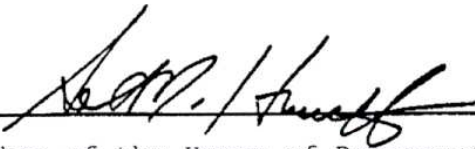
13 (5) A procedure for providing the essential services  
14 the organization currently provides to clients with medical  
15 needs in preparation for and during and following a disaster.

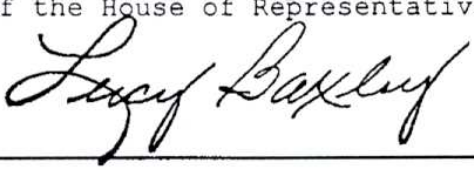
16 (c) All functions provided by the state and any  
17 political subdivision thereof or other agencies of the state  
18 or political subdivisions under this act are declared to be  
19 governmental functions and are subject to the same immunities  
20 provided for emergency management activities under Section  
21 31-9-16 of the Code of Alabama 1975.

22 (d) Nothing in this act is intended to limit or  
23 alter the statutory authority granted to state agencies.

1                   Section 4. This act shall become effective  
2       immediately following its passage and approval by the  
3       Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

  
President and Presiding Officer of the Senate

House of Representatives


I hereby certify that the within Act originated in  
and was passed by the House 14-MAR-06, as amended.

Greg Pappas  
Clerk

Senate

17-APR-06

Passed

APPROVED April 26, 2006  
TIME 11:34 a.m.  
  
GOVERNOR

Alabama Secretary Of State

Act Num....: 2006-599  
Bill Num...: H-533